

REMARKS

Claim Rejections

Claims 1, 5, 9 and 10 are rejected under 35 U.S.C. § 102(e) as being anticipated by Shibuya (U.S. 2002/010117). Claims 2-4, 6-8 and 11-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Amendments to Specification

Applicant has amended the Specification as noted above to change "elastic reed" to read –elastic reel--. No "new matter" has been added to the original disclosure by the foregoing amendments to the Specification.

Drawings

It is noted that the Examiner has accepted the drawings as originally filed with this application.

Claim Amendments

By this Amendment, Applicant has amended claims 1,5, 14 and 16 of this application. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

The cited reference to Shibuya teaches a vehicle-mounted electronic apparatus having a case (1) having a cabinet (2) and a front panel (3), and a face (10) having a display member (11a). The face being movable between a retracted position and one of a vertical or an oblique angle relative to the front panel.

Shibuya relies on electricity to extend and retract the face, unlike the present invention which does not require electricity.

Shibuya does not teach the upward folding adjustment device selectively adjusting the display panel holding mechanism to one of a plurality of turning elevation angles; nor does Shibuya teach the upward folding adjustment device

returning the display panel holding mechanism to a previously selected turning elevation angle selected from the plurality of turning elevation angles.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Shibuya does not disclose each and every feature of Applicant's amended claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Shibuya cannot be said to anticipate any of Applicant's amended claims under 35 U.S.C. § 102.

It is further submitted that Shibuya does not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Shibuya renders obvious any of Applicant's amended claims under 35 U.S.C. § 103.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: July 22, 2005

By:


Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707